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From:

Dorothy L. Chambers for Tel: 714.708.6500
Peter J. Gluck,
Reg. No. 38,022 Fax: 714.708.6501

E-Mail: gluckp@gtlaw.com

To:	Fax No:	Company:	Phone No.
Examiner Jason M. Sims Group Art Unit 1631	571.273.8300 571.273.0595	Mail Stop AMENDMENT United States Patent and Trademark Office	

File 58027-014000

No.:

Re: U.S. Patent Application Serial No. 10/683,535

Date: June 8, 2006

No. Including Cover Sheet
Pages:

7

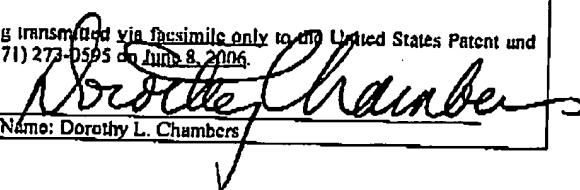
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Notes: Attachments:

- 1) Transmittal Form (PTO/SB 21); and
- 2) Response to Office Action mailed 05/08/2006.

CERTIFICATE UNDER 37 CFR 1.6(d) and 1.8

I hereby certify that this correspondence and identified attachments are being transmitted via facsimile only to the United States Patent and Trademark Office, to MAIL STOP: AF, Facsimile No. (571) 273-8300 and (571) 273-0595 on June 8, 2006.


Name: Dorothy L. Chambers

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1650 Town Center Drive, Suite 1700, Costa Mesa, California 92626 Phone: 714.708.6500 Fax: 714.708.6501

PAGE 1/7 * RCVD AT 6/8/2006 3:31:09 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/22 * DNIS:2738300 * CSID: * DURATION (mm:ss):03:18

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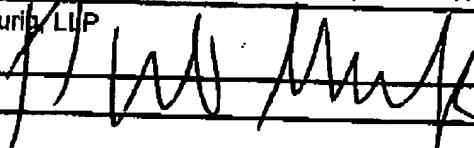
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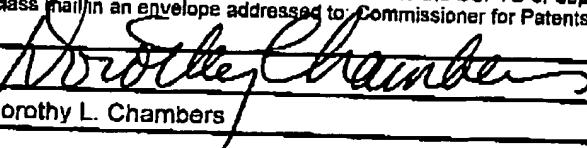
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TRANSMITTAL FORM		Application Number	10/683,535
(to be used for all correspondence after initial filing)		Filing Date	October 10, 2003
		First Named Inventor	Judy Dering
		Art Unit	1631
		Examiner Name	Jason M. Sims
Total Number of Pages in This Submission	7	Attorney Docket Number	58027.014000

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Greenberg Traurig, LLP	
Signature		
Printed name	Peter J. Gluck	
Date	June 8, 2006	Reg. No. 38,022

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature		
Typed or printed name	Dorothy L. Chambers	Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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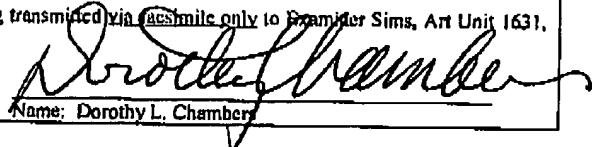
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Judy Dering	Examiner:	Jason M. Sims
Serial No.	10/683,535	Group Art Unit:	1631
Filed:	October 10, 2003	Docket No.	58027-014000
Title:	CONSTRAINTS-BASED ANALYSIS OF GENE EXPRESSION DATA		
Customer No.:	33717		

CERTIFICATE UNDER 37 CFR 1.6(d)

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Name: Dorothy L. Chamber

RESPONSE TO RESTRICTION REQUIREMENT MAILED 05/08/2006

MAIL STOP: AMENDMENT
Hon. Commissioner of Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed May 8, 2006, kindly enter the following remarks and amendments which are submitted to advance prosecution solely:

oc-fs1\52986v01

Serial No. 10/683,535

PATENT
Docket No. 58027-014000

In response to the Office Action mailed May 8, 2006, the following response is hereby offered for the Examiner's consideration.

Election / Restrictions Requirements

Applicants respectfully select the Examiner's group 1, namely Claims 1-11 drawn to what the Examiner classifies as "a method for identifying a genomic target of interest, classified in class 702, subclass 20," with the species defined as expression data from a mammal. It is respectfully proposed that this choice is responsive to the instant paper, however, in order to be fully responsive, applicants' undersigned representative offers the other and further remarks for the purpose of being compliant with the Examiner's ostensive position on 37 C.F.R. 1.141 which is not agreed with, but nonetheless responded to.

The remaining claims (12-14) are withdrawn, without prejudice and maintaining all divisional rights. Likewise, claims 2 and 4-7 and 9 have been withdrawn as set forth below.

One of Two Election of Species/One-2 Further election of Species/Two of Two etc...

Applicant respectfully selects claims 1, 3, 8 and 10 - 11, believed to be expression data from a mammal, and comprising at least one tyrosine receptor set.

Remarks begin on page 7. It is respectfully requested that this case is in a condition for allowance and such relief is hereby earnestly solicited.

A complete listing of the claims follows.

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